



Campus Unrest: Preparing for Protests & Political Action

As we reflect on the social justice movements, judicial decisions, protests, and political division of the past several years, we are forced to acknowledge that the repercussions of this recent tumult have not only persisted but are increasing. As recent union action demonstrates, the return to more normal operations following the pandemic brings, we believe, the potential for a resurgence of passionate activism on even the most bucolic of campuses.

In some ways, this is business as normal at many schools. From the AAUP's Declaration of Principles in 1940 to the birth of the free speech movement at UC Berkeley in the 1960s, most colleges and universities have highlighted the critical nature of free expression as fundamental to their mission. More and more, institutions of higher education, with their long and noble tradition as crucibles of critical thought and ideas, are being forced to define, uphold, and defend free speech and activism on their campuses. The issues most relevant to current students—from diversity, equity, and inclusion policing, and social justice to climate change, sexual assault, reproductive and LGBTQ rights—are not only contentious themselves, but “free speech,” the primary vehicle of protest, has become a contentious subject in itself.

The battle lines are no longer as clear as they once were with the politicized issue of free speech increasingly pitting faculty one against another and creating a disconnect between the administration who value freedom of speech, and students—brought up in the social media age—who increasingly value freedom from speech. As institutions of higher education continue to serve increasingly diverse populations, leadership must ensure that diversity, equity and inclusion is fiercely protected on campus while maintaining their commitment to advocating free speech for all.

From a resurgence of large protests and student activism across the nation to an influx of contentious headline grabbing speakers, campuses will likely be at the crux of yet another powerful political moment. As the intense emotions around crucial issues are resurfaced, leadership should anticipate revivals of activity. From day-to-day antagonism between student groups, professors, and the administration to insufficient or inconsistently applied time, place and manner rules, we can expect more tumult, particularly as campuses return to normal operations. And once again, that likely will put your campus leadership under intense scrutiny.

5 QUESTIONS TO ASK YOUR TEAM

- 1 Do we have—and have we posted—clear conduct and/or social media guidelines that address free speech/hate speech/online harassment issues?
- 2 Do we have clear event approval and risk assessment criteria in place to ensure appropriate vetting of and preparation for outside speakers and events?
- 3 Do we have clear and posted guidelines about protests and gatherings? Have they been communicated to the campus community?
- 4 Are we aware of police “use of force” protocols and the role of our administration relative to police actions? If we do not have a university police force—or in case of a large event—do we have an MOU in place with local, county and state police?
- 5 In addition to an Emergency Management Plan, do we have a Crisis Management AND a Crisis Communication plan in place?

STEPS TO TAKE NOW

UPDATE YOUR POLICIES

Many schools rely on AAUP's 1940 Statement of Principles as the bedrock of their approach but often little more is in place. Establish/expand the following to ensure clarity, consistency and alignment with core institutional values:

- Open Expression/Free Expression Policy
- Social Media Policies
- Student/Faculty Code of Conduct
- Time, Place and Manner Restrictions
- Campus Police Use of Force Guidelines
- MOU with Local Police Agencies

REVIEW YOUR EVENT GUIDELINES

Ensure that your "Event Guidelines" or equivalent policy defines the process by which speakers and events are approved. It should include:

- Detailed procedures regarding application and approval process with related time-frames and deadlines, including specific reviews and approvals
- Associated fees and host responsibilities for maintaining a safe environment
- Criteria and process for when/if the administration decides to cancel/postpone an agreed event/speaker

ESTABLISH SAFETY/POLICE PROTOCOLS

The Robinson Edley Report (2012), completed after the pepper-spray incident at UC Davis and available online, provides 49 specific recommendations and is generally an excellent resource in this area. It is important to:

- Identify a senior administrator to be on-site at the time of any protest and potential police action
- Ensure a resource is available to video record the protest as an official record of events for either potential litigation, training purposes, judiciary processes, etc.
- Define a core team to support prompt decision-making
- Detail specific decisions reserved for the President

EDUCATE YOUR CAMPUS

Ensure that students and faculty receive orientation and training on your school's values and policies relative to freedom of expression, harassment and diversity including:

- Principles of Community
- Protected Speech
- Avenues for Expression (time, place, manner rules)
- Consequences of Violation of Conduct Rules

NEED SOME HELP?

WE'VE BEEN THERE

From pepper spray to protests, from academic freedom to provocative speakers; our team has been in the trenches with schools in crisis for decades helping college and university leadership manage their response. We know what works, what doesn't, and how to prevent needlessly making the situation worse.

WE'LL HELP YOU PREPARE

Don't wait until the controversial speaker is on campus, hate speech is roiling your community, or the protest posters are printing. Our team can help you plan your response now with policy and crisis management and communications plan review and development, leadership training and exercising, and campus emergency and police response protocols.

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